

City of Santa Barbara

Community Development Department

Memorandum

DATE: May 4, 2015

TO: NZO Joint Committee

FROM: Beatriz Gularte, Planning Division

SUBJECT: Module 1, Use Regulations

Enclosed please find the first "module," which would regulate allowed land uses in the City. On Monday, May 11, Martha Miller of Dyett & Bhatia will give an overview of the document. The document is a draft that will be subsequently discussed at the next Community/PC Worksession on June 25.

The document is comprised of three "use" components: 1) base zone purposes and use regulations; 2) development standards for specific uses; and 3) use classifications. To help with the uses allowed in all the land use tables, we recommend you review the Use Classifications section beginning on pg. 51 of the document. There is also a Use Correspondence Table beginning on pg. 55 that shows correspondence between proposed use groups and existing use lists.

The purpose of the NZO Joint Committee and subsequent Community/Planning Commission review of the modules is for education and informal comment on choices being considered. The comments received on the modules will be used to inform and prepare the Administrative Draft Zoning Ordinance in late spring of next year.

Much of the content of the document consists of reorganization and clarification of language and regulations contained in our existing Zoning Ordinance. It includes new zone classification names, and allowed use tables, which would make it easier for the user to determine if a use is allowed by right, or whether a Performance Standard Permit or Conditional Use Permit is required.

Because much of the content is the same as the uses allowed in the existing ZO, we propose to focus the discussion at the NZO Joint Committee meeting on new or changed uses including the following, some of which deal directly with General Plan Policies and recommended implementation actions:

1. Industrial M-I Zone

General Plan Policy LG8: Preserve and encourage the long term integrity of light manufacturing uses.

Possible GP Implementation Action to be Considered LG8.1: <u>Narrow Commercial</u> <u>Uses</u>. Narrow the range of permitted commercial uses to ancillary types in the M-1 zone for protection of industrial/manufacturing and related land uses.

Possible GP Implementation Action to be Considered EF15: <u>Protect Industrial Zoned Areas</u>. Preserve the industrial zones as a resource for the service trades, product development companies, and other industrial businesses not precluding priority housing in the C-M, Commercial Manufacturing Zone.

Possible GP Implementation Action to be Considered EF16: <u>Industrial Uses</u>. Ensure that there is sufficient land available for industrial uses.

The M-1, Light Manufacturing zone of the City is the least restrictive and allows all uses with the exception of residential (except for a small caretaker unit). The table beginning on page 19 shows all the uses to be allowed in the M-I, Manufacturing Industrial Zone (current M-1 zone).

Question:

1. As C-M zone properties potentially get redeveloped with AUD housing and other nonresidential uses, preserving land for light manufacturing, industrial uses will be very important. Should we eliminate some of the general retail and/or office uses currently allowed in the M-1 zone? If so, which uses? Please look at the commercial uses on the use table (pg. 20) to consider which uses could be eliminated.

2. Neighborhood Markets (Module 1, pg. 48)

Possible GP Implementation Action to be Considered LG4.4: <u>Corner Stores/Small Neighborhood Centers</u>. Amend the Zoning Ordinance to enable and ease establishment of limited neighborhood-serving commercial and mixed use in residential zones.

While there are existing neighborhood markets in our R-2, R-3 and R-4 zones (see attachment); new neighborhood markets are currently not an allowed use in residential zones. Currently, Zoning Ordinance Chapter 28.87, General Provisions, allows limited improvements to nonconforming markets that were properly permitted as of September 1998. The NZO proposes to allow small neighborhood markets in residential single unit zones with a Conditional Use Permit and with a Performance Standard Permit in most less restrictive residential and commercial zones if certain development standards are met.

Question:

- 2.a. Are the standards proposed on page 48 adequate?
- 2.b. Is the type of permit required in each zone classification appropriate?
- 2.c. Does the committee agree that a Conditional Use Permit should be required if alcohol sales are proposed in residential areas?

3. Home Occupation Standards (Module 1, pg. 38)

General Plan Policy LG10.1: Provide viable live-work opportunities throughout the City.

Posssible GP Implementation Action to be Considered LG10.1: <u>Live Work.</u> Create a live-work land use category, zoning designation, or standards to enable viable live work opportunities including standards for home occupation in residential zones that are consistent with building codes.

Currently, home occupations as defined in our zoning ordinance are an allowed use. The NZO proposes to clarify the operational and performance standards required for a home occupation, as well as include a new process requiring a Zoning Affidavit to conduct a home occupation.

Question:

3. Are the standards and process for home occupations adequate? If not, what should be added in order to preserve neighborhood character?

4. Mobile Food Vendors (Module 1, pg. 45)

Currently, food vendors on private property are considered peddlers and are regulated under the City's Peddlers Ordinance SBMC Chapter 5.32. Staff frequently gets inquiries about the zoning rules that apply to food trucks that park on private property and sell food on a temporary basis. The module proposes new operational standards when proposed on private property.

Question:

4. Should new zoning standards be established for mobile food vendors on private property? If so, are the proposed standards adequate?

5. Temporary Use Regulations (Module 1, pg. 49)

Currently, seasonal holiday sales are regulated under SBMC 28.87.290. Staff also frequently gets request for other temporary events throughout the City. Currently, there is no clear process or limitation on the frequency and conditions on such

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requests. The module proposes limitations and standards for events that a site could have in a year.

Question:

5. Are the standards and limitations adequate?

6. Automobile Service Stations (Module 1, pg. 33)

Currently, the C-M and M-1 zones allow new automobile service stations, including a mini-market, without a Conditional Use Permit (CUP). All other zones require a CUP, and SBMC §28.94.030.V includes the conditions and standards that apply. SBMC §28.87.205 includes site development standards for automobile service stations that do not need a CUP. The consultant has combined both sections into one. Given the number of standards required staff would like the NZO process to consider allowing automobile service stations including mini-markets in the C-N, Commercial Neighborhood zone (currently C-P zone) and C-G, Commercial General (currently C-2 zone) with a Performance Standard Permit (PSP) instead of a CUP.

Question:

6. Should the City allow a service station that meets the standards with a Performance Standard Permit in the C-N and C-G zones?

7. Community and Market Gardens

Possible GP Implementation Action to be Considered LG11.4: <u>Audit for Community Gardens</u>. Conduct and audit to determine if the City owns land that could be used for community gardens and encourage voluntary private development of gardens.

Agriculture is currently allowed in the City's residential zones in compliance with certain standards. The General Plan calls for encouraging the development of community gardens on privately owned land.

The NZO includes a new use classification for Community and Market Gardens. Community Gardens do not involve on-site sales, and are proposed to be allowed in residential and nonresidential zones if certain standards are met. Market Gardens allow on site sales, and are proposed to be allowed by right in the C-N, Commercial Neighborhood, C-G, Commercial General zones, M-C, Manufacturing Commercial, and M-I, Manufacturing Industrial zones, and allowed with a Performance Standard Permit in the O-R, Office Restricted and O-M, Office Medical zones.

Question:

7. Are these appropriate uses and standards in the zone classifications proposed?

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Attachments:

- 1. Existing Neighborhood Markets in Residential Zones
- 2. Existing land uses in M-I, Manufacturing Industrial Zones (This information will be brought to the meeting)

Attachment 1

Existing Neighborhood Markets in Residential Zones

Address	Name	Zone	Estimated Size
416 E Micheltorena	Riviera Market	R-3	1,400 s.f.
235 W Micheltorena	La Bamba Market	R-4	600 s.f.
601 W Mission	Mission Liquor and Deli	R-3	1,700 s.f.
1700 San Andres	Fernando's Market	R-3	1,500 s.f.
601 W De La Guerra	Guadalajara Market	R-3	800 s.f.
415 W Anapamu	Davis Market	R-4	1,184 s.f.
701 Bath	Little Corner Store	R-4	960 s.f.
1121 E Montecito	Pennywise Market	R-2	800 s.f.
1235 Olive	Victoria Market	R-3	1,600 s.f.
735 W Micheltorena	Westside Market	R-2	1,570 s.f.
1104 Cacique	Arts Market	R-3	780 s.f.
		Average	1,172 s.f.
		Size	